

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

EARNEST JOHNSON

PLAINTIFF

VS.

CIVIL ACTION NO. 3:12cv146HTW-LRA

SHERIFF RANDY TUCKER

DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE**

This matter is before the court pursuant to the Report and Recommendation of United States Magistrate Judge Linda R. Anderson which clearly notified the respective parties in the above-styled and numbered cause that failure to file written objections to the findings and recommendations contained therein within fourteen (14) days from the date of filing would bar further appeal in accordance with Title 28 U.S.C. § 636, and this court, finding that there has been no submission of written objections by any party, hereby adopts said Report and Recommendation as the order of this court.

IT IS THEREFORE ORDERED that this case is dismissed without prejudice for plaintiff's failure to pay the full filing fees on or before December 17, 2012.

SO ORDERED, THIS THE 25th DAY OF January, 2013.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE